

HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

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WRIT PETITION NO. 9846 OF 1996

BETWEEN

N. Pandurangappa & another

.....**Petitioners**

And

The Mandal Revenue Officer, Gudibanda mandal, Anantapur district & others

.....**Respondents**

:: O R D E R ::

Counsel for the Petitioners : Shri P. Chakrawarthy

Counsel for the Respondent No.1 : Government Pleader

for Revenue

Counsel for the Respondent No.2 : None

Dated: 12.04.2006

This is a petition for quashing order dated 01.04.1993 passed by Mandal Revenue Officer, Gudibanda, whereby he ordered resumption of land measuring Acs.2.95 cents comprised in survey No.437/3 situated in Morubagal village, Gudibanda mandal, Ananthapur district.

In paragraph 7 of the counter-affidavit filed by respondent No.1, the following averments have been made:

“It is respectfully submitted that the petitioners are the brothers of the 2nd respondent. It is pertinent to mention here that subsequent to filing of the writ petition as per I-B Register, it appears that the 1st petitioner and the 2nd respondent have compromised and obtained pattadar pass book by partitioning the land in equal shares as they are the legal heirs of original assignee. After the death of the original assignee, the lands have been divided into equal shares and Ac.1.47 cents has been given to the 2nd respondent and remaining Ac.1.48 cents is in possession of the petitioner No.1. As on today, the legal heirs of the original assignee are enjoying the assigned land equally. Hence, the petitioners and the 2nd respondent should not have any grievance, as the land is equally enjoying by them.”

Shri P. Chakrawarthy appearing for Shri O. Manohar Reddy, advocate for the petitioners says that in view of the averments contained in the counter-affidavit, the writ petition may be disposed of as infructuous. Ordered accordingly.

G.S.SINGHVI, CJ

ksld

12.04.2006